IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3096 OF 2004

The State of Maharashtra ...Applicant

Versus

Laxman Shivram Patil ...Respondent

.....

Mr.D.R.More, A.P.P. for Applicant.

Mr.A.P.Mundargi with Mr.S.R.Mithare &

Mr.Rajendra Sorankar for Respondent.

.....

CORAM: A.M.KHANWILKAR, J.

MARCH 9, 2005.

P.C.

1. Heard Counsel for the parties.

2. This Application takes exception to the anticipatory bail order passed by the Sessions Judge, Thane on 6th April 2004 in favour of the Respondent. At this distance of time, I am not inclined to go into the correctness of the challenge on merits. Suffice it to observe that as

there is nothing on record to indicate that the Respondent has jumped any of the conditions of bail, at this distance of time, no interference is warranted.

. However, there is substance in the grievance made by the learned A.P.P. that the anticipatory bail order granted by the lower Court is a blanket order and cannot be sustained in the light of recent pronouncement of the Apex Court.

3. In the circumstances, the order is modified to the limited extent that the anticipatory bail order will enure in favour of the Applicant till the filing of the charge-sheet. On filing of the charge-sheet, Applicant will make an application before the appropriate Court for regular bail, which will be considered on its own merits, in accordance with law.

4. Application disposed of accordingly.

A.M.KHANWILKAR, J.